

REMARKS

Claims 7-9, 11, 14, 16, 17, 19, 21, 24 and 25 are pending with claims 7-9, 11, 14, 16, 17, 19, 21, 24 and 25 indicated as allowable or allowed. Of the pending claims, claims 9, 14, 17 and 19 were amended and claims 24 and 25 were added in a Preliminary Amendment filed with the application. Claim 11 was amended in the Amendment filed October 23, 2003, and claims 7, 11 and 16 are amended herein. Claims 1-6, 10, 12, 13, 15, 18, 20, 22 and 23 are canceled without prejudice to or disclaimer of the subject matter found therein and will be included in a continuation application to be filed.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the amendments:

(a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

In paragraph 1, on page 2 of the Office Action, it was stated that the claims as presented in the Amendment file October 23 were noncompliant with 37 C.F.R. §1.173(g). The only claims about which that might be said were claims 3, 5, 22, and 23, all of which have been canceled. Thus, all amended claims as filed are compliant with the C.F.R.

In accordance with the requirement in paragraph 2, page 2 of the Office Action, that the original patent, or a statement as to its loss, must be submitted before the application can be allowed, forwarded herewith is the original Letters Patent from which this reissue was taken.

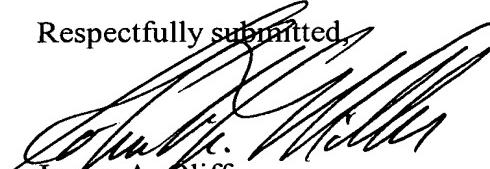
In paragraph 3, on page 2 of the Office Action, it is alleged that the oath or declaration is defective because it was not executed in accordance with either 37 C.F.R. §1.66 or §1.68. It was stated that the Declaration was not signed. Applicant is unsure why this allegation is being made. The Reissue Declaration filed with the application, at least as found in the files of Applicant's representative, is executed and the date of execution is June 22, 2001. The Declaration was filed on July 24, 2001. In any case, upon an indication the application is in condition for allowance, a Supplemental Reissue Declaration will be filed. However, should the Examiner wish to have a copy of the executed Declaration as filed July 24, 2001, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

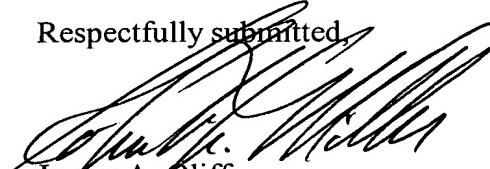
In paragraph 5, on page 3 of the Office Action, claims 1-6, 10, 12, 13, 15, 18, 20, 22 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki et al., U.S. Patent No. 5,287,772 (hereinafter "Aoki") in view of Schmidt, U.S. Patent No. 5,558,588. The rejection has been rendered moot by the cancellation of the rejected claims.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of allowable claims 7, 11 and 16 as amended, in addition to previously allowed claims 8, 9, 14, 17, 19, 21, 24 and 25, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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Attachment:

Original Letters Patent No. 5,914,575

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